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The Gazette of Puducherry

PART - II

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GOVERNMENT OF PUDUCHERRY CHIEF SECRETARIAT (EDUCATION)

(G.O. Ms. No. 19, dated 29th July 2013)

NOTIFICATION

In exercise of the powers conferred under section 49 of the Puducherry School Education Act, 1987 (Act 9 of 1987), the following draft rules which the Government proposes to make in order to further amend the Puducherry School Education Rules, 1996, notified vide G.O. Ms. No. 40, dated 18th September 1996 of the Government of Puducherry, Chief Secretariat (Education) and published in the Extraordinary Gazette, Part-II, No. 13, dated 18th September, 1996, are hereby published as required under sub-section (1) of the said

section for information of all persons likely to be affected thereby. Notice is hereby given that the said draft amendment rules will be taken into consideration on the expiry of 15 days from the date of publication of this notification in the official gazette.

Any objection or suggestion received by the Government from any person in respect of said draft amendment rules within the period specified above will be considered by the Government. The objections or suggestions, if any, should be addressed to the Secretary to Government, Education Department, Puducherry.

DRAFT AMENDMENT RULES

PUDUCHERRY SCHOOL EDUCATION (AMENDMENT) RULES, 2013

CHAPTER – I

PRELIMINARY

1. *Short title, extent and commencement.*— (1) These rules may be called the Puducherry School Education (Amendment) Rules, 2013.

(2) They shall extend to the whole of the Union territory of Puducherry.

(3) They shall come into force on and from the date of their publication in the official gazette.

SUBSTITUTION OF RULE 64

In the Puducherry School Education Rules, 1996, for the existing rule 64 and the entries relating thereto, the following shall be substituted, namely:—

“64.(1) *Fees and other charges in private schools.*— Fees and other charges in private schools shall be as fixed by the committee constituted for the purpose of regulating the fee to be collected in private schools.

(2) *Committee for fixation of fee and other charges in private schools.*—

(i) *Constitution of Fee Committee.*— The Government shall constitute a committee to recommend a reasonable school fee structure to the aided and unaided private schools in the

Union territory of Puducherry. The committee shall comprise of the following officials and non-officials to study the existing fee structure, in the private aided and unaided schools in the Union territory of Puducherry and recommend appropriate fee and other charges to be collected by each of the private schools. The committee shall comprise of :

- (1) A Retired High Court Judge / Retired I.A.S. . . Chairperson
Officer nominated by the Government.
- (2) Director of School Education . . Member-
Secretary.
- (3) Chief Engineer (Buildings), . . *Ex officio*
Public Works Department. Member.
- (4) Deputy Secretary / Under Secretary (Education) . . *Ex officio*
Member.
- (5) Joint Director of School Education . . *Ex officio*
Member.
- (6) Deputy Director of Elementary Education . . *Ex officio*
Member.
- (7) Senior Accounts Officer, Directorate of . . *Ex officio*
School Education. Member.
- (8) Chartered Accountant nominated by . . Member
the Government.

(ii) *Terms and conditions of Office of the Chairperson and Members.*— The term of Office of the Chairperson and Members shall be for a period of three years from the date of their nomination and in the case of any vacancy arising earlier, for any reason, such vacancy shall be filled for the remainder of the term.

(iii) *Sitting fee.*— The Chairperson shall be eligible to draw such rate of sitting fee and travelling allowance on par with that of the Chairperson of the Fee Committee, constituted to determine the fee structure of the unaided private professional colleges etc.

(iv) *Proceedings of the committee.*— No act or proceeding of the committee shall be invalid by reason only of the existence of any vacancy in, or any defect in the constitution of the committee.

(v) *Factors for determination of fee.*— (1) The committee shall determine the fee leviable by a private school taking into account, the following factors, namely:—

- (a) The locality of the private school, namely, urban/rural area, more specifically, taking into consideration, the taluk, revenue village, hamlet wherein the school is situated;
- (b) Students strength of the school;
- (c) Classes of study and total number of classes in the school;
- (d) The available infrastructure, namely, status of the school, as indicated below:—
 - (1) Schools having minimum infrastructure facilities as prescribed by the Government from time to time.
 - (2) Schools having infrastructure facilities more than that prescribed:—
 - (i) Schools having more than the minimum requirement of laboratory, more number of library books, classroom facilities and other sanitary and drinking water facilities.
 - (ii) Schools having more than adequate classroom facilities, laboratory facilities, library area, number of books, very good sanitation facilities, highly protected drinking water facilities and other sanitary facilities together with high percentage of results.
 - (iii) Schools fully equipped with modern facilities like equipment for conducting smart classes, provision of air conditioner, etc.
- (e) the recurring and non-recurring nature of expenditure on administration and maintenance, including payment of salaries, etc.;
- (f) the reasonable surplus required for the growth and development of the private school;

- (g) teacher-pupil ratio; and
- (h) any other factors as may be prescribed by the committee;

(2) The committee shall, on determining the fee leviable by a private school, communicate its decision to the school concerned;

(3) Any private school aggrieved over the decision of the committee shall file their objection with sufficient material in support of this objection before the committee within fifteen days from the date of receipt of the decision of the committee;

(4) The committee shall consider the objection of the private school and pass orders within thirty days from the date of receipt of such objection;

(5) The orders passed by the committee thereon shall be final and binding on the private school for three academic years. At the end of the said period, the private school would be at liberty to apply for revision;

(6) The committee shall indicate the different heads under which the fee shall be levied.

(vi) *Authorised officer.*— For the purposes of these rules, the following officers of the Directorate of School Education shall function as the authorised officers:—

- (1) Joint Director
- (2) Chief Educational Officer of the region concerned
- (3) Deputy Director
- (4) Delegate to Director of School Education, Yanam
- (5) Deputy Inspector of Schools.

(vii) *Maintenance of accounts and submission of returns.*— For the said purpose, the schools shall comply with the following:—

- (1) *Maintenance of accounts.*—

- (a) Every private school shall keep separate accounts for different kinds of transactions, namely, fees collected, grants received, financial assistance received,

payments of salary to staff, purchase of machinery and equipments, laboratory articles, library books, stationery and other expenditure incurred.

- (b) Every private school shall keep the registers, accounts and records within the premises of the educational institution. They shall be made available at all reasonable times for inspection by the authorised officer.
- (c) Accounts maintained by private school together with all vouchers relating to various items or receipts and expenditure shall be preserved by that school until the audit of accounts is over and objection, if any, raised is settled.
- (d) The authorised officer or the members of the Fee Committee who have made inspection of any private school shall send a report with relevant records to the Director within 30 days.

(2) *Submission of returns.*—

- (a) Every private school shall submit to the authorised officer an annual financial return in the form for the period ending with 31st of March of every year, not later than the 1st day of July of every year or within such further time as may be permitted by the authorised officer. The return shall bear the signature of the Secretary or Correspondent or Principal of the private school.
- (b) In addition to the returns referred to in sub-rule (1) above, every private school shall within such time, or within such extended time, as may be fixed by the authorised officer furnish such returns, statistics or other information that may be required from time to time by him.

(viii) *Powers and functions of the committee.*—

- (1) The powers and functions of the committee shall be,—
 - (a) to determine the fee to be collected by private schools;

- (b) to hear complaints with regard to the collection of fee in excess of the fee determined by the committee. If the committee, after obtaining the evidence and explanation from the management of the private school concerned comes to the conclusion that the private school has collected fee in excess of the fee determined by the committee, it shall recommend to the appropriate authority for the withdrawal or cancellation of the recognition or approval, as the case may be, of the private school or for any other course of action as it deems fit in respect of the private school concerned.

(2) The committee shall have the power to,—

- (a) require each private school to place before the committee the proposed fee structure of such school with all relevant documents and books of accounts for scrutiny within such date as may be specified by the committee;
- (b) verify whether the fee proposed by the private school is justified and it does not amount to profiteering or charging of exorbitant fee;
- (c) approve the fee structure or determine some other fee which can be charged by the private school.

(3) The committee shall have the power to,—

- (a) verify whether the fee collected by the private school affiliated to the respective State Boards of School Education, the Central Board of Secondary Education, Indian Council for Secondary Education (in short ICSE) or any other affiliating body commensurate with the facilities provided by the school;
- (b) to hear complaints with regard to collection of excess fee by a private school affiliated to the Central Board of Secondary Education, ICSE or any other affiliating body; and

- (c) to recommend to the Central Board of Secondary Education, ICSE or any other affiliating body, as the case may be, for disaffiliation of the private school, if it comes to a conclusion that the school has collected excess fee, in violation of the fee structure prescribed by the committee.
- (d) to recommend to the appropriate authority to withdraw permanently or for any specified period the recognition of any private school, under section 13 (1) of the Act.

(By order of the Lieutenant-Governor)

M. GUNASEKARAN,

Under Secretary to Government (Education).
